

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

August 18, 2004

A **special meeting** of the New Hampshire Board of Pharmacy was held on **August 18, 2004** at the Board office, 57 Regional Drive, Concord, New Hampshire. The purpose for the meeting was to review existing Rules of the Board and to draft amendments and, where necessary, propose new sections in preparation for the rulemaking process. The meeting was **called to order at 8:10 a.m.** with President Margaret E. Hayes presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Margaret E. Hayes, President
Kristina Genovese, Vice-President
George L. Bowersox, Treasurer
Sandra B. Keans, Secretary
Vahrij Manoukian, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary

ABSENT

Ronald L. Petrin, Member
Peter A. Grasso, Chief Compliance Investigator

II. WORK SESSION

Amend Ph 302.07 [Jurisprudence Examination Required Scores and Fees] paragraph (b) to read:

(b) Pay the prescribed fee of ~~\$85~~ **\$170**.

Amend Ph 302.08 [Jurisprudence Re-Examination Notice and Election] paragraph (c) to read:

(c) Any candidate for re-examination of the jurisprudence examination shall remit the prescribed of ~~\$85~~ **\$170** prior to being re-examined.

Amend Ph 306.01 [Pharmacy Ownership Transfer] paragraph (d) to read:

(d) ~~The change of ownership of the controlling interest of the voting stock of a corporation since the issuance of the license or last renewal application.~~ **In a publicly traded, multi-tiered corporation, change or transfer of ownership shall apply only**

to the lowest tier of the corporate structure doing business as a pharmacy in the State of New Hampshire.

Amend Ph 701.02 [Definitions] paragraph (n) to read:

(n) "Signature" means: ~~the handwritten name of an individual affixed by the hand of that individual to a document.~~

(1) the handwritten name of an individual affixed by the hand of that individual to a document; **or**

(2) **an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign a document or record; or**

(3) **an electronic signature based upon digital cryptographic methods of originator authentication, and computed by using a set of rules and a set of parameters so that the identity of the signer and the integrity of the data can be verified.**

Amend Ph 702.01 [Area, Space and Fixtures] paragraph (b)(3) to read:

(3) Refrigeration storage equipment used ~~capacity~~ exclusively for drugs.

Amend Ph 703.02 [Bulk Compounding] paragraph (b)(2) to read:

(2) The identity of the manufacturer **or source** of the bulk chemicals, the lot number and the expiration date of each ingredient contained in the formula;

Amend Ph 704.06 [Drug Product Selection] paragraphs (c) and (e) to read:

(c) The pharmacist shall not select an equivalent drug product if the prescriber handwrites "medically necessary" on the written prescription, **or if electronically transmitted, an electronic reproduction of the prescriber's handwritten direction indicating "medically necessary"**, or when ordering a prescription orally the prescriber specifies that the prescribed drug is medically necessary. The designation of "medically necessary" shall not be preprinted or stamped on the prescription. This paragraph shall not preclude a reminder of the procedure required to prohibit selection of an equivalent drug product from being preprinted on the prescription.

(e) ~~The pharmacist or the~~ pharmacist's agent, assistant or employee shall inform the person receiving the drug pursuant to the prescription of the selection of a lower-cost equivalent drug product and of the person's right to refuse the product selected.

Amend Ph 707.01 [Controlled Drug Destruction] to read:

Any person authorized to possess controlled drugs and desiring to dispose of such drugs may request destruction of the drugs by the board- **or request an authorization from the board to destroy such drugs.**

III. ADJOURNED AT 9:30 A.M.

Respectfully submitted,

Sandra B. Keans
Secretary
FOR THE BOARD